

BRENTWOOD BOARD OF SELECTMEN
MINUTES OF 3/17/09 MEETING

Convened: 6:30 p.m.
Present: David Menter
Jeffrey Bryan
Andrew Artimovich
George Waldron
Jane Byrne

The Board met and reviewed payroll, accounts payable, and signed the register. The Board reviewed and signed the recreation register.

Jonathan Ellis was in to present the weekly Treasurer's report. Ellis noted that the Treasurer's report now shows that he is investing funds in the money market account as it offers an interest rate a bit higher than that for short term CDs.

The Selectmen reviewed the minutes of the 3/10/09 meeting. Bryan made a motion to approve the minutes as written; motion was seconded by Waldron. Menter, Bryan, Artimovich, and Waldron voted in favor; Byrne abstained. The Selectmen read the minutes of the 3/12/09 emergency meeting. Bryan made a motion, seconded by Artimovich, to approve the minutes as written. Menter, Bryan, Artimovich, and Waldron voted in favor; Byrne abstained.

The Board reviewed the notes:

- The Board agreed to reschedule the meeting with Jim Michaud and David Hynes to 3/31. The Board will meet at 6:15 in order to finish their weekly business before meeting with Jim & David at 6:30pm.
- The Board agreed to award the bid for painting the Grange Hall to the only bidder who submitted their information by the deadline, Heritage Painting. They must provide us with a certificate of insurance.
- The Selectmen do not see a need for Liz Faria to come in next week to discuss the possibility of waiving the rental fee for the BCC. She should follow the proper procedure of filling out the application first and the recreation director can then forward it to the Selectmen if a waiver is requested.
- A complaint was received last week that Mr. Rullo once again had full roll-off containers. Following a site walk of the property it was determined there is no issue at the property.

Gil Tuck was in with 1 permit for Nancy Pailes & Adam Noke of 26 Crawley Falls Road to finish 2 rooms and a bath on the second floor. The current septic system will support the additional bedrooms. The Selectmen signed the permit. Tuck reported that he spoke with the gentleman who has been living in a camper trailer on a parcel on Rte 125 and informed him that he can not stay there. He responded that he has nowhere to go. The Board requested that a letter be drafted to the property owner.

Jo Ann Allison was in to speak with the Board as a concerned citizen about the moderator's performance at this year's town meeting. Allison stated that the moderator did not preserve order, he put forth rules of order without them being published, inappropriately cut-off discussion, and allowed his own bias to show through. It is her feeling that there should be an assessment and evaluation of his behavior, either by a hired consultant or someone from the Secretary of State's office. In addition, Allison believes there should be written and published rules of order, and a different voting process – either through voter cards or a count off rather than relying on verbal responses. Allison finds it appalling that the moderator did not acknowledge outgoing board and committee members who have

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served; and put aside the swearing-in of new officials until after the meeting adjourned. She feels we need to nurture a volunteer environment and this certainly was not done. Allison recommends that the Selectmen put an article in the next Brentwood Newsletter recognizing those outgoing board/committee members. During discussion that followed, there were several statements in agreement with Allison. Bryan mentioned that he had a resident contact him who is considering declaring the Town Meeting null and void because it was so poorly run. The Board is not clear what can be done on their end as the moderator is an elected position. The Selectmen thanked Allison for her input and assured her she is not alone in feeling this way.

Allison then “put on her Supervisor of the Checklist hat” and mentioned that it would be helpful if the school district meeting could take place after Town Election as that would allow the Supervisors to register new voters on Town Election day. No one in attendance was aware of any reason why that could not take place. The Board agreed to try to make sure that happens next year.

Menter made a motion to elect Bryan as the new chairman of the Board of Selectmen. Waldron seconded the motion; all voted in favor. Bryan accepted.

The Board then divvied up the selectmen’s representative positions on various boards and committees:

- Waldron will serve as Selectmen’s rep on the Planning Board.
- Bryan will continue on the Budget Committee.
- Artimovich will continue on the ZBA.
- Menter will now be the representative on the Conservation Commission.
- Byrne will attend the school board meeting as selectmen’s rep.

Road Agent Wayne Robinson was in with Duane Demeritt of the highway department to ask the Selectmen if they want to go out to bid on the scheduled road work for this year. The Board explained that they would need to see Bell & Flynn’s proposal with a firm quote on what the cost would be before making that decision. The projects that are planned for the \$250,000 raised at Town Meeting for road maintenance are to change the intersection of Pickpocket & Rte 111A to a “T” by removing the island, and to reclaim and pave as much of Crawley Falls Road as possible and perhaps including removal of the South Rd/Crawley Falls Rd island. Other projects they will be working on this year (not using the \$250,000) are repairing the South Road Bridge and doing shoulder work. Bryan asked Robinson what their schedule would be for repairing shoulders in the newer subdivisions with compacted four foot shoulders and whether or not they would be getting quotes for the repairs. Demeritt responded that they would be working on them soon. Bryan recommended they start right away before the phones start ringing. Byrne would like to have them consult with Steve Cummings prior to doing any work on the South Road Bridge. It was explained that Bob Stephens of Stephens Associates Consulting Engineers has looked at the bridge with Robinson as Cummings has been out of Town for an extended period. The group had some discussion about increasing the warrant article next year for road repairs and the possibility of bonding road work.

The Board reviewed and/or signed the following documents:

- Julie distributed copies of a draft RFP for legal services. The Board members will review it for discussion at next week’s meeting.
- Julie read a letter from Patricia Kady regarding the timber yield tax she received for parcel 207.045.000. Ms. Kady explains that the man who harvested the timber on her Brentwood property has not paid her, has not provided scale slips, and forged her name on timber harvest results. The man is currently involved in a case brought against him by the state. It was due to

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go to trial 3/9/09 but has been continued. Kady is asking that the Town stop assessing interest on the taxes due and waive the tax all together if she does not get payment. Byrne made a motion to waive the interest charges and wait to make a decision on assessment of the timber tax payment until the trial is over. Waldron seconded the motion; all voted in favor.

- Julie read an email she received from Matt Lowe of Hoyle, Tanner regarding a meeting they had with the NH Division of Historic Resources about the Crawley Falls Bridge Project. The Division of Historic Resources will be requiring several measures be implemented into the project that were outlined in Lowe's email.
- Artimovich made a motion to approve an abatement for Homestead Lane, LLC for parcel 206.033 as recommended by Jim Michaud, Town Assessor. The property was erroneously removed from the current use program and qualifies to remain at the current use value. The motion was seconded by Menter. Menter, Artimovich, Waldron and Byrne voted in favor; Bryan abstained.
- Appointment slips were signed for the following individuals:
 - Artimovich made a motion, seconded by Waldron, to appoint Heather Gilbert & Emily Schmalzer to be members of the Conservation Commission. All voted in favor.
 - A motion was made by Artimovich and seconded by Bryan to appoint Dexter Swasey & Bob Regan to be members of the Recreation Commission. All voted in favor.
 - Bryan made a motion to appoint Jonathan Ellis as Town Treasurer. Motion was seconded by Waldron; all voted in favor.
- The Selectmen did not sign an appointment slip for James Clark to be an alternate member of the Library Trustees until it is confirmed that such a position is allowed per the RSAs.
- Julie spoke with legal counsel at Local Government Center regarding the possibility of the County leasing land to a developer to build low-income elderly housing in Brentwood. Julie handed out copies of RSA 674:54 as recommended by counsel. This RSA should answer a lot of the questions the Board had about the county's use of the land and what their requirements are in notifying the Town about the project.

The Board discussed the letter that will be drafted to the AG's office requesting their opinion on the incompatibility issue as discussed at the 3/12/09 meeting. The Selectmen asked Phyllis Thompson, Town Clerk/Tax Collector, if there was a written job description for the office clerk in her office. She said she does not believe there is one. She said she will review the Pay Study done by NHMA. The Selectmen asked if she would write one to include with the letter. She responded she will try, but she will be on vacation next week. The Selectmen agreed to generate a letter without it in order to expedite the process. Jane suggested the question to ask of the AG's office be – "Is a part-time clerk who works in the Town Clerk/Tax Collector's office and who handles money disqualified from holding the office of Selectmen?" Menter said perfect. Julie will draft a letter and send it to all Selectmen. Upon approval, Board members will come to the town office to sign it so it can be sent out as soon as possible.

At 8:07 p.m. Bryan made a motion, seconded by Waldron, to adjourn. All voted in favor.

Respectfully submitted,
Julie Stevens

Minutes include amendments made and approved at the 3/24/09 & 5/5/09 meetings.

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